IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17869 of 2004

Between:

1 Sri V.Venkateshwar Rao, s/o Hari Prasad Rao,
r/o 72, LIG Quarters, Housing Board Hanamkonda.
2 Sri Mohd.Jeelani, s/o Md.Khader,
r/o House No.2-4-432, Kranti Nagar, Hanamkonda.
3 Smt.B.Rama Devi, d/o Bhaskar Reddy (late),
r/o H.No.2-9-43, Excise Colony, Hanamkonda.
4 B.Janardhan Goud, s/o Laxmaiah,
r/o Peddapendyal (V), Dharmasagar (M), Warangal District.

..... PETITIONERS

AND

1 The Chairman-cum-District Collector, Zilla Saksharatha Samithi, Warangal, Warangal District.
2 The Secretary-cum-Deputy Director of Adult Education, Govt. of A.P., Zilla Saksharatha Samithi,
Warangal, Warangal District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order, or direction, more particularly one in nature of writ of certiorari calling for records pertaining to Rc.No.605/AD-3/89-Estt, dt.24/09/2004 on the file of the 1st respondent and quash the same as illegal and violative of 25(F) of I.D.Act and consequently continue and regularize the services of the petitioners in view of launching of Akshara Bharati Programme (Akshara Sankranthi) for next three years by the respondents on behalf of Government of A.P., and Government of India

Counsel for the Petitioner:MR.B.SUDHAKAR REDDY & ASSOCIATES

Counsel for the Respondent No.: GP FOR LABOUR

The Court at the stage of admission made the following :

ORDER:

The petitioners are contending that they worked as Volunteers for Akshara Kranthi programme introduced by the Government for a period of 12 years. When their services were terminated in the year 2001, they approached the Labour Court, and the Labour Court passed an award in favour of the petitioners by holding that the order of termination is defective and in the event of the respondent proposing to terminate the services of the petitioners, it shall resort to the procedure prescribed under Section 25 F of the Industrial Disputes Act. Subsequently, when the respondent issued Section 25 F notice on 24-09-2004, the petitioners approached this Court through this Writ Petition challenging its validity and legality. But on perusal of the notice no procedural irregularity has been noticed by this Court and if the respondent passes any order in pursuance of the notice dated 24-09-2004, it is for the petitioners to question its legality in the appropriate forum. Since the petitioners approached only at the stage of notice under Section 25 F of the Industrial Disputes Act, the writ petition cannot be maintained.

The Writ Petition is accordingly dismissed.

The learned Counsel for the petitioners represented that though the respondent is continuing the Akshara Kranthi scheme, they are not inclined to continue the petitioners in service, therefore, the learned Counsel for the petitioners requested to issue a direction to the respondent to continue to engage the services of the petitioners in the scheme that is being continued by the Government. In the counter-affidavit, the respondent mentioned that the Government introduced a new scheme called Akshara Bharathi and it is at the initial stage. In the event of the respondent pursuing the said scheme, and in the event of the requirement of the volunteers for the said scheme, the respondent is directed to give preference to the petitioners before availing the services of fresh recruitees.

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Dr. G. Yethirajulu, J.

Dt: 25th October, 2004.

Rns.

To

1 The Chairman-cum-District Collector,

Zilla Saksharatha Samithi, Warangal,

Warangal District.

2 The Secretary-cum-Deputy Director of Adult Education,

Govt. of A.P., Zilla Saksharatha Samithi,
Warangal, Warangal District.

3. Two CCs to G.P.for Labour,

High Court of A.P.,Hyderabad(OUT),

4. Two CD copies.